

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRISTOPHER A. JONES,

Petitioner,

vs.

E.K McDANIEL, *et al.*,

Respondents.

3:05-cv-00582-LRH-VPC

ORDER

This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner represented by counsel. This action was dismissed without prejudice, and the case closed administratively. (ECF No. 33). The dismissal resulted from petitioner's decision to return to state court to exhaust his state-court remedies with respect to certain of his grounds for relief.

Petitioner's further state-court proceedings have apparently concluded, petitioner has now returned to this Court seeking to reopen this case. (ECF No. 36). Petitioner advises this Court that he is ready to file a second amended petition containing only exhausted claims. The Court will therefore grant petitioner's motion to reopen this case.

IT IS THEREFORE ORDERED that petitioner's motion to reopen this action (ECF No. 36) is **GRANTED**.

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1 **IT IS FURTHER ORDERED** that the Clerk shall **REOPEN THE FILE**.

2 **IT IS FURTHER ORDERED** that petitioner shall have **thirty (30) days** from the date of
3 entry of this order to file and serve a second amended petition. Respondents shall have **thirty (30)**
4 **days** following service of the second amended petition to file and serve an answer or other response
5 to the petition.

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7 Dated this 16th day of May, 2011.



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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE